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Request**For****Continued Examination (RCE)
Transmittal**

Address to:
 Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

**Application Number****09/485,227****Filing Date****December 18, 2001****First Named Inventor****Y. KONDO, et al.****Art Unit****2822****Examiner Name****M. Lewis****Attorney Docket Number****501.38171X00****This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- 1. Submission required under 37 C.F.R. § 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. Previously submitted
- i. Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered.)
 - ii. Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
- i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17 (e) is required by 37 C.F.R. § 1.114 when RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-2135 (Case No. 503.38171X00)
- i. RCE fee required under 37 C.F.R. § 1.17 (e)
 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Other Any deficiencies
- b. Check in the amount of \$ _____ enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	<u>William I. Solomon</u>	Registration No. (Attorney/Agent)	<u>28,565</u>
Signature	<u>William I. Solomon</u>	Date	<u>May 24, 2004</u>

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	<u>William I. Solomon</u>	Date	<u>May 24, 2004</u>
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



501.38171X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Y. KONDO

Application No.: 09/485,227

Filed: December 18, 2001

For: COMPOSITE MATERIAL INCLUDING COPPER AND
CUPROUS OXIDE AND APPLICATION THEREOF
(As Amended)

Art Group: 2822

Examiner: M. Lewis

SUBMISSION UNDER 37 CFR § 1.114
(AMENDMENT)

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 24, 2004

Sir:

In response to the Final Office Action mailed July 23, 2003, and subsequent to the filing of a Notice of Appeal on January 23, 2004 and necessary Petition For Extension of Time filed concurrently therewith, and concurrently with the filing of a Request for Continued Examination Transmittal, please amend the above-identified application as listed in the following, and as set forth on the following pages:

Amendments to the Claims; and

Remarks are included following the amendments.